

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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DR. PAUL M. CONTI,

Case No. 17-CV-9268 (VEC)

*Plaintiff/Counterclaim-Defendant,*

– against –

JOHN DOE,

*Defendant/Counterclaim-Plaintiff.*

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**APPENDIX**

**DR. PAUL M. CONTI’S LIST OF STATEMENTS NOT INCLUDED IN JOHN DOE’S  
APPENDIX OF STATEMENTS ANNEXED TO HIS MOTION FOR SUMMARY  
JUDGMENT**

Pursuant to the Honorable Valerie E. Caproni’s April 6, 2021 Order (Dkt. No. 283), Plaintiff/Counterclaim-Defendant Dr. Paul M. Conti (“Plaintiff” or “Dr. Conti”) submits the following list of at-issue statements that were not included in the Appendix that Defendant/Counterclaim-Plaintiff John Doe (“Defendant” or “Doe”) submitted in connection with his Motion for Summary Judgment (Dkt. No. 233-1), and which Doe contends are the only defamatory statements at-issue in this case. The Court will note that portions of certain of the below quoted “at-issue” statements were included in Defendant’s Appendix, while the other portions were omitted therefrom. Herein, Plaintiff quoted the portions of the “at-issue” statements that were both omitted from Defendant’s Appendix and those that were included therein, so as to provide the Court with the full context for the omitted statements. For ease of reference, the portion of the “at-issue” statements quoted below that were included in Defendant’s Appendix

have been emphasized in bold. The portions that were not included in Defendant's Appendix do not have bold emphasis.

| Statements   |
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| <p>"A mother fucking piece of shit that wrote the narrative on me who was never present doing it feels good. It does not? There's only so much I can take. And what you think you beat me to the punch to end treatment your con ass. I have been trying since December. Is that what you do now you have been called out. It's funny now you are worried about the xanax titration.?????" (Dkt. No. 31-5)</p> |
| <p>"But let's get one thing straight your ass was never there in fact we had to beg and plead with your assistant you get ahold you.... You really think you could get away with this." (Dkt. No. 31-5)</p>  |
| <p>"You looked me in the eye and told me you were the quarterback. The anxiety of getting OF THE xanax was harder than hell. Every fucking week why did we had to add more anxiety to even if I was going to be able to get the script to continue this titration. <b>You were no where to be found.</b> Dovi couldn't never get ahold of amber." (Dkt. No. 31-6)</p>  |
| <p>"Had I not called your ass out when I thought you were going to apologize <b>when my parents were in town when we couldn't even get a hold of you.</b> You were running this titration process which I was doing the work by myself." (Dkt. No. 31-6)</p>   |
| <p>"Thanks for your great work because you knew by not having a caring dr I would relapse. If your that smart which you think you are, if you take the situation you knew in that situation I didn't have a dr and you set me up for one thing and one thing only and that's failure." (Dkt. No. 31-6)</p>   |
| <p>"And now I'm fighting for my life more hopeless than ever and I do put the fucking square blame on you. I get enough shit. This one is on you. You abandoned me. I was following all the orders from a dr who charged full rate but couldn't even give me .0001 percent of your time." (Dkt. No. 31-6)</p>  |
| <p>"And you can say what you want your god damn right I'm entitled to think the RAINMAKER DR was going to be in the trenches with me getting to the root of my problems. <b>The fact is you were out of town at least 2 weeks of the month.</b>" (Dkt. No. 31-8)</p>   |
| <p>"So instead of being there for me you started the narrative on me." (Dkt. No. 31-8)</p>   |
| <p>"Get your story straight. You wrote in an email you ended treatment because I wasn't falling titration process?" (Dkt. No. 31-8)</p>  |
| <p>"A. You know this is a hard process[.] B[.] it's even harder when you don't have a dr to get ahold of[.] C. The anxiety of just worrying if I would get my medication probably would cause me to relapse because being so anxious even if we're going to reach you. D. READ THIS</p>  |

LOUD AND CLEAR. IT WAS DANGEROUS WHAT YOU WERE DOING WITH THIS DRUG. So you didn't have time to actually fucking assist me but god damn you cock sucker you had time to call and tell my parents the narrative of how I'm not fucking good even though at the same time I was fighting myself to get off the xanax. And I was doing it myself. I felt better and was down to 1.5 mgs. Your plan went wrong when my parents saw your bitch ass absent." (Dkt. No. 31-8)

"[W]hy did you flip this around on me.? Why did you SHAME me? Now I didn't say a word because I was shocked. 30 minutes later I called your phoney ass out on that email, than your bitch ass 45 mins later wrote an amazing narrative ending treatment which I will have it framed to prove your ass wrong." (Dkt. No. 31-8)

"And why would anyone want to think about themselves as this horrible human being so you knew what you were doing. You were putting the nail on my coffin[.] Now when I have called you out had I not done that, would you have ended treatment. **You got caugggt MALPRACTICE.**" (Dkt. No. 31-8)

**"WE all know with the greatest certainty you got red handed caught. Had I not written that email I would still be under your care.** You know when you stopped the treatment it killed me." (Dkt. No. 31-9)

"I think it was a part of your plan only to further your attempt to shame me. That's all you ever were good at was SHAME. So you know that when you ended treatment again because you were called out you know what I would do. Gamble crazy and go right back up on my xanax to quench the anxiety I had of being in no mans land." (Dkt. No. 31-9)

"Where was your goddam voice in february when you wanted to discontinue treatment in your latest attempt to deflect it on me." (Dkt. No. 31-9)

"This is mental pain you caused a human being under your watch. **You could have backed out at any minute or time. Instead you abandoned me.** And now I'm stuck with pain." (Dkt. No. 31-14)

Dated: New York, New York  
April 12, 2021

Yours, etc.,

JUDD BURSTEIN, P.C.

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